DECISION MEMO

MIDDLE HENRYS ASPEN ENHANCEMENT

U.S. FOREST SERVICE

CARIBOU-TARGHEE NATIONAL FOREST

ASHTON ISLAND PARK RANGER DISTRICT

FREMONT COUNTY, IDAHO

Background

Aspen forests have been reduced by as much as 60 to 90 percent throughout the entire western United States (Lachowski et al. 1996). Quaking aspen communities have decreased more than 40 percent in Idaho during the past 100 years due to fire suppression and conifer encroachment (Idaho Department of Fish and Game [IDFG] 2017). The Caribou-Targhee National Forest has had similar reduction in aspen forests. On the Ashton/Island Park Ranger District in the late 1800's and early 1900's, there were approximately 35,219 acres of aspen habitat (Orme 2005). As of 1991, there were 7,615 acres, equating to roughly a 79 percent decline. Short-statured regenerating aspen were common and conifers were largely absent.

Maintaining and enhancing aspen communities plays a crucial role in preserving wildlife biodiversity. They provide important and productive deer fawning and elk calving habitat, and lend to higher survival rates and recruitment for big game species. At the landscape scale, aspen communities play a vital role during migration for mule deer and elk by providing a healthy matrix of differing vegetation cover types. On a local scale, aspen stands provide a hub for biodiversity and support a healthy ecosystem. With the ongoing decline in aspen stands brought on by conifer encroachment and fire suppression, sustaining and enhancing aspen communities is vital for wildlife. (M. Pieron Pers. Comm. 2020)

Currently, aspen is an underrepresented vegetation community type on the Ashton/Island Park Ranger District as exhibited in the Middle Henry's Fork Watershed. In this watershed, a lack of fire disturbance has resulted in older aspen communities where aspen is overtopped and crowded out by conifer species; in essence, outcompeted for sunlight and water. Replanting efforts and natural regeneration post logging in the 1960s to 1980s favored fast-growing lodgepole pine and repressed aspen.

Aspen is shade intolerant and will not reproduce under its own canopy or shade created by competing vegetation, mainly evergreen trees such as conifer (EIAWG 2014). Aspen thrive on disturbance that restricts conifer invasion and reduces self-competition. Lack of disturbance from wildfire and competition from conifer tree species continue to cause aspen decline, resulting in decreased plant and wildlife biodiversity. Aspen stands support diverse plant communities that provide profound benefits to a wide array of game and non-game species. Benefits of aspen communities to wildlife include high quality understory forage, forb production, concealment cover and nesting cavities. Mule deer, elk, ruffed grouse, and many migratory songbirds depend on aspen communities (Debyle and Winokur 1985).

Mule Deer

Aspen communities are vital summer and fall habitat for mule deer in Southeast Idaho. These communities support a diversity of plants that provide high quality forage, thermal cover and concealment

(Debyle and Winokur 1985; Beck and Peek 2005). When compared to conifer-dominated forests, aspen stands have greater forb production and diversity (Thiel 2012). This high quality forage promotes fat accumulation; deer that have a higher body fat percentage at the onset of winter have increased overwinter survival.

Aspen communities provide critical habitat for mule deer fawning during the spring-summer months (Leckenby et al. 1982; Shallow et al. 2015). Mule deer recruitment plays an important role in the overall health of deer populations and is affected by several components including forage quality of existing habitat, vegetative cover and maternal condition (Shallow et al. 2015). When looking at two distinct habitats in Idaho, Shallow et al. (2015) documented that mule deer females utilizing aspen communities had higher maternal condition and averaged larger litter sizes than females from conifer forests. In addition, those fawns had higher birth weights, growth rates and survival than fawns from conifer forests (Shallow et al. 2015).

Aspen communities are responsible for increased nutritional resources for female mule deer while simultaneously providing increased concealment cover for fawns (Pierce et al. 2004). Predation of fawns plays a critical role in the number of fawns surviving to adulthood. Vegetative cover provided by aspen communities provides better concealment of fawns compared to conifer-dominated forests (Shallow et al. 2015) and may provide increased protection from predation. The resources provided by aspen communities are directly related to increased survivorship and recruitment of fawns into adulthood.

Elk

Aspen communities provide important habitat during elk calving season. Cow elk and calves utilize aspen stands for cover from predation as well as for high quality forage. During calving, aspen is readily available and palatable to cow elk and supports improved lactation (Brough et al. 2017). Additionally, the high quality forage provided by aspen and its associated understory increases fat reserves for elk, ultimately enhancing overwinter survival (Green and Bear 1990).

Bird Biodiversity

An abundant array of avian species also rely on aspen stands to provide resources for survival and reproduction. Aspen communities support a greater diversity and abundance of birds, and provide more cavity, canopy and ground nesting habitat compared to conifer dominated forests (Griffis-Kyle and Beier 2003, Heath 2004, Swift et al. 2017). Cavity nesters such as the northern flicker and other woodpecker species rely heavily on aspen trees. In addition, canopy nesters such as the western wood-pewee, yellow-rumped warbler and the western tanager require open canopy provided by aspen stands (Debyle and Winokur 1985).

Aspen woodlands also provide several resources for game birds. Ruffed grouse have a strong relationship with aspen for both a food source (Gullion and Svoboda 1972) and cover (Gullion et al. 1967). Increased forb production supported by aspen communities provides excellent brood rearing habitat for ruffed grouse (Kuhn et al. 2011). Insects are attracted to the perennial forbs in aspen stands and provide grouse chicks with abundant protein necessary for survival (Debyle and Winokur 1985).

Purpose and Need

The desired condition for areas occupied by an aspen vegetation community in the Middle Henry's Fork watershed is three-fold:

1. An array of age or seral classes of aspen is present to promote and maintain aspen as very important habitat for a variety of wildlife species found in this watershed. Projects that stimulate early seral aspen and enhances mid-age and mature aspen by limiting competition with conifer

species will ultimately result in more mature/late seral aspen habitat (M. Pieron, personal communication 2020).

2. Regeneration (suckering) of aspen occurs across the watershed in areas where aspen is present to increase young or early seral aspen to ensure aspen presence far into the future.
3. Conifer representation is reduced in the mid-aged and mature aspen vegetation communities to increase aspen vigor and encourage regeneration in the gaps left by conifer removal.

Aspen stand risk assessments were conducted throughout the Middle Henry's Fork watershed in 2015 and concluded that aspen is at serious risk to decline in representation and quality of wildlife habitat. Of the 108 aspen clumps surveyed across the watershed, 22 percent rated out as extreme risk, 47 percent rated out as high risk, 30 percent of the clumps rated as moderate risk, and only one percent was rated as a low risk. The risk was based on lack of regeneration or early seral aspen stages. Mid-age and mature aspen were at risk due to conifers outcompeting aspen for water, nutrients and sunlight.

The current condition of aspen communities in this watershed as described above does not meet the desired condition. The purpose of this project is to move the condition of aspen communities across the watershed towards a more desired state. The expectation is that this project will increase aspen community representation and vigor, thus improving habitat for a variety of wildlife species such as elk, deer and a variety of bird species.

The following are excerpts from the Targhee National Forest 1997 Revised Forest Plan that support the purpose and need of this project:

Treat Aspen plant communities to reduce competing conifers and maintain a balance of age classes for these communities (RFP page III-12).

Wildlife biodiversity is maintained or enhanced by managing for a diverse array of habitats and distribution of plant communities (RFP Page III-15).

A mosaic of age classes and types of vegetation are sustained through time and exist across the landscape. The Forest functions as an integral part of the Greater Yellowstone Ecosystem as well as adjacent systems sustaining habitat and conditions necessary for free movement of wildlife (RFP page II-2).

Proposed Action

This proposed action, the associated design criteria and best management practices were developed and refined based on interactions and analysis by the interdisciplinary team, suggestions from a diverse collaborative group and comments received during the scoping process.

There are several different treatments designed to be implemented together or separately as described below and depicted on the Treatment Area Map 1. This project will be implemented in phases.

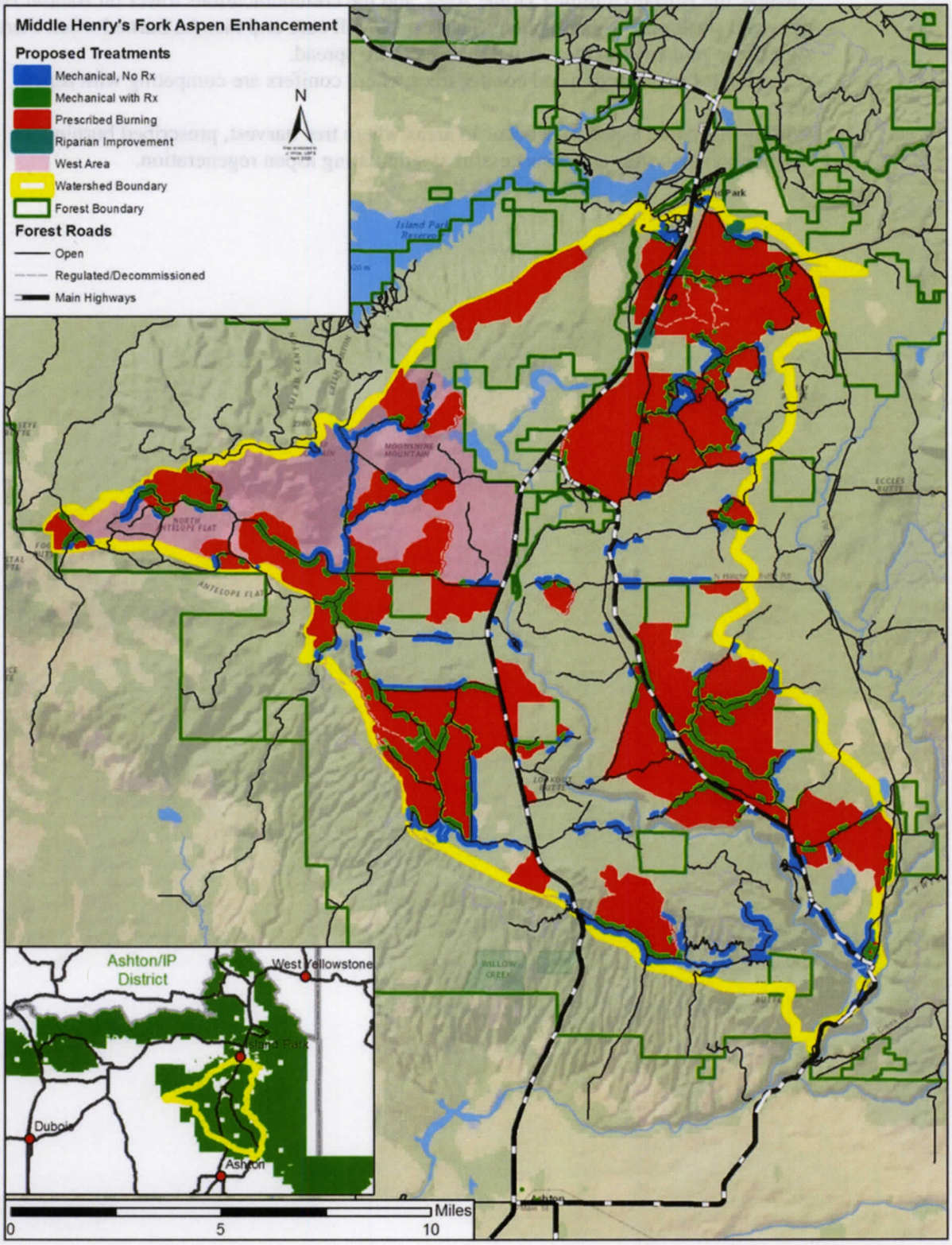
- Mechanical Treatments without Prescribed Burning: approximately 3,575 acres (colored blue on Map 1)
    - Remove conifer trees through timber harvest that are between approximately five inches and 20 inches in diameter within the unit boundaries that are competing with aspen. Timber harvest will occur within approximately 500 feet of an open or gated closed road within the watershed.

- No more than one mile of temporary road will be constructed to facilitate conifer tree removal during a timber sale. This one mile is applied across the entire watershed and not for each implementation phase of the project
- No new permanent (system) road construction will occur.
- Whole trees will be skidded to landings. The remaining tree parts not removed on a log truck (slash) will be pushed into slash piles, allowed to cure and burned when there is sufficient moisture to reduce fire spread.
- Mastication or cutting of conifer trees may occur within these aspen clumps where conifers were not removed during the timber harvest operation to further encourage aspen regeneration. This will occur within treatment units delineated on the map as mechanical treatments.
- No follow up prescribed burning will occur within these treatment areas.
- Mastication or cutting of conifer trees may occur within aspen clumps where conifers were not removed during the timber harvest operation. This will occur within treatment units delineated on the map as mechanical treatments.

- Mechanical Treatments with Prescribed Burning: approximately 5,312 acres (colored green on Map 1)
  - Same activities as described above for timber harvest.
  - Prescribed burning may occur post-harvest to further encourage aspen regeneration. Prescribed burn treatment is described below.
- Prescribed Burning: approximately 33,387 acres (colored red on Map 1)
  - In areas where aspen trees are competing with conifers, prescribed burns will occur to encourage aspen regeneration and reduce the number of conifers growing within the aspen clumps.
  - No timber harvest activity will occur within these units.
  - Conifer cutting will occur within aspen clumps before a prescribed burn is conducted to create red-needled fuels to carry a fire through those aspen clumps. Conifer trees would be cut down by chainsaw and/or masticator.
  - Hazard trees/snags may be cut where they pose a safety concern to firefighters and the public.
  - Prescribed burning control lines will be constructed as needed for holding actions and/or to protect resource area concerns. This includes black line, pruning, saw line, mastication line, and hose lays. Existing roads, trails, creek drainages, wet meadows, rocky outcrops, and other natural barriers will be used as control lines where possible.
  - Aerial and/or hand ignition techniques will be utilized to ignite prescribed burns.
  - Prescribed burns will occur with intensities ranging from low to high.
- Riparian Improvement: approximately 37 acres (colored turquoise on Map 1)
  - In two riparian areas where aspen trees are competing with conifers (Tom's Creek and Blue Springs), conifer trees will be cut with chain saws to promote aspen for beaver habitat.
  - Resulting down trees will be scattered across the forest floor.
  - No timber harvest or prescribed burning activities will occur within these units.
- Associated Activities:
  - In treatment areas identified on the map as either mechanical treatment or prescribed burning but neither activity is feasible, conifer trees may be cut down with chain saws where aspen trees are competing with conifers.

- In site specific areas near values at risk, such as areas adjacent to the town of Last Chance, the Buffalo Summer Home Area, and the communications tower on Ashton Hill, trees and slash may be hand piled. These piles will cure and then be burned when there is significant moisture on the ground to reduce fire spread.
- A masticator may cut or grind conifer trees where conifers are competing with aspen trees.
- Cutting of mature aspen may occur in areas where tree harvest, prescribed burning, or mastication activities are unsuccessful at stimulating aspen regeneration.

Map 1. Proposed treatments for the Middle Henry's Fork Aspen Enhancement Project.



Decision and Rationale

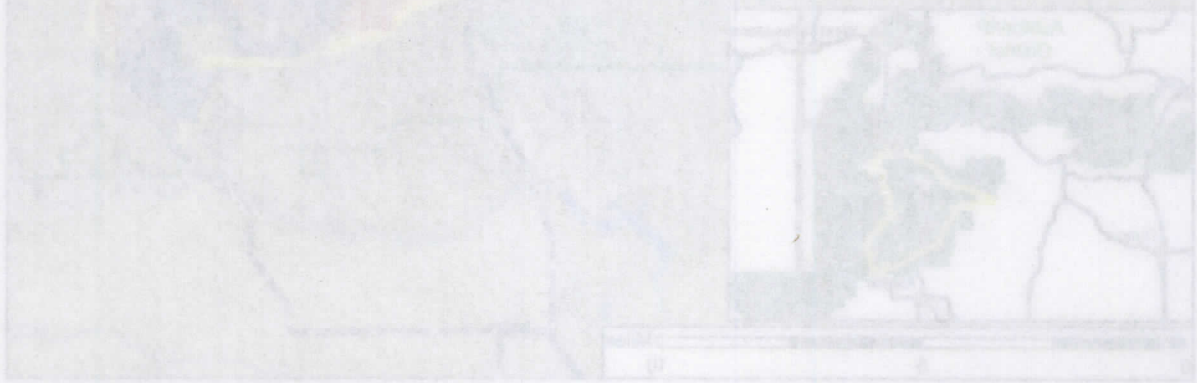
I have decided to implement the proposed action as described above within treatment units identified on Map 1. The project will be implemented in phases to ensure compliance with RFP standards and guidelines, and design criteria. My decision includes the implementation of design criteria, management requirements and monitoring of each phase of this project as described below, to minimize impacts to resources.

The proposed action meets the desired conditions described in the background and purpose and need for this project. This area is important for wildlife especially large ungulates (elk, deer, moose) and additional aspen habitat will increase or maintain their habitat within this landscape.

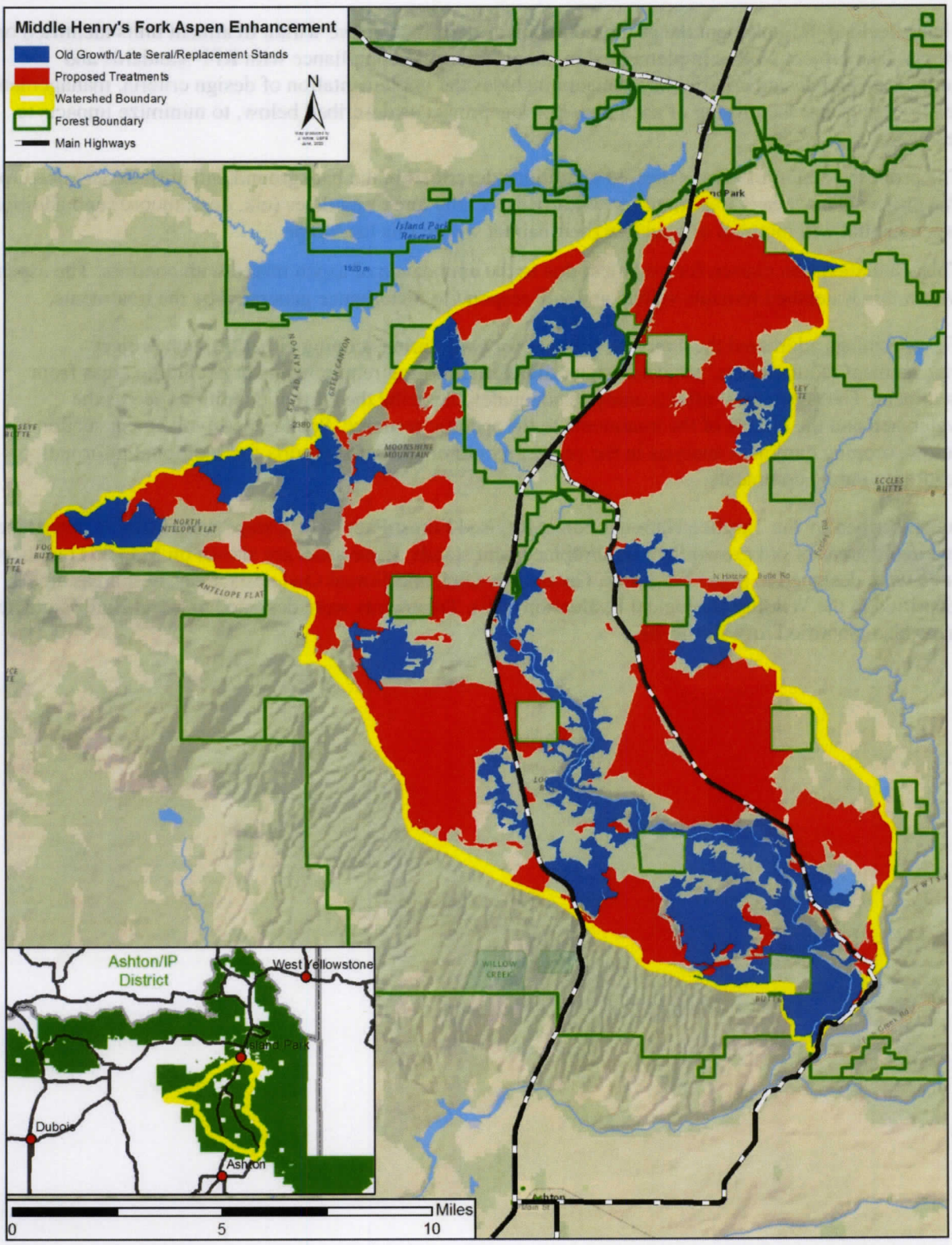
This watershed was chosen for treatment due to the abundance of aspen mixed with conifers. The aspen within this watershed remains viable, and will respond to disturbance generated by the treatments.

The specialists addressed the concerns brought forward during scoping either through project management requirements, project design criteria, monitoring requirements or excluding areas from treatment. The specialists' effects analysis adequately describe the current conditions across the watershed and the effects of the treatments to the specific resource. See Public Involvement section below, scoping comment analysis in the project record or specialist reports for additional information regarding public comments.

As prescribed by the Targhee National Forest Revised Forest Plan (RFP), steps were taken to determine and avoid areas of old growth/late seral/replacement stands; these areas are shown on Map 2. Treatment units were designed to avoid Goshawk, Great Grey Owl, and Boreal Owl nests areas; nest areas are identified in the Wildlife Biological Evaluation (BE). Treatments were designed to avoid Bald Eagle nest areas also identified in Wildlife BE.



Map 2. Old Growth, Late Seral, Replacement Stands in Middle Henrys Watershed



Monitoring of various resource conditions is key to successful implementation of this project. Monitoring will be accomplished to ensure design criteria and Revised Forest Plan requirements are met and not exceeded. The specific monitoring criteria is outlined in each specialist report and summarized here. A monitoring plan will be developed for this project to guide the required monitoring. Prior, during and/or after implementation of each phase the following items will be monitored.

- Hydrologic disturbance
- Created openings
- Surveys for Great Grey owl, Boreal Owl and Goshawk nests
- Surveys for Peregrine Falcon nests
- Surveys for Bald Eagle nests
- Success of aspen regeneration
- Browsing of regenerated aspen
- Burn severity and intensity necessary to achieve objectives
- Fine organic matter within activity areas
- Impacts to soil productivity and soil function between each treatment in areas that receive multiple treatments such as timber sale and prescribed fire.
- Soil burn severity
- Monitor prescribed fire treatments for cattle damage to understand when cows are attracted to burned areas
- Inventory of invasive plant species and monitoring of applied treatments

The project area has been reviewed by Forest Service specialists for impacts regarding recreation, soils, cultural sites, vegetation, livestock management, watershed condition, wildlife, invasive plant species and sensitive plants. No significant issues were identified that could not be mitigated, and all practical means have been employed to avoid and/or minimize environmental impact.

Management Requirements & Project Design Criteria

To eliminate, or minimize, potential resource impacts, this decision incorporates the following management requirements and project design criteria into the various treatment types. The design criteria and management requirements were developed by resource specialists during their analysis to minimize impacts to that particular resource. These also reflect applicable RFP standards and guidelines. The intent of the design criteria and management requirements is to reduce and/or avoid potential impacts associated with the treatments described in the proposed action. They are required as part of this decision.

Forested Vegetation:

- The desired condition for aspen regeneration is at least 500 to 1,000 aspen stems per acre that are at least six feet tall within five years following treatments (Kitchen 2019). If the treatment results in less than 500 stems per acre after five years, the need for further actions and type of action will be evaluated and implemented according to the various treatments outlined in the proposed action and design criteria. Actions taken may reduce browsing or increase aspen regeneration depending on the conditions found through annual monitoring.
- Protect five-needled pine trees in treatment areas to the extent possible.
- No treatment will occur in the old growth/late seral replacement stands shown on Map 2. Twenty percent of the forested acres within the Middle Henry's Fork watershed are comprised of a combination of old growth and late seral forest stage and replacement acres following the criteria outlined in RFP. (RFP III-12).
- Protect regenerating aspen from browsing to the extent possible. Protection may include: creating physical barriers with natural materials on site, coordination with wildlife managers to

reduce ungulates, utilizing grazing practices such as resting pastures, grazing timing (season and duration), or the use of fencing, water and or supplements to distribute livestock away from aspen clumps.

- Winter logging is allowed. During winter logging operations, system roads may be used to haul logs as long as snowmobile trails are accessible during logging operations.
- Trees larger than 20 inches in diameter will not be cut.

Hydrology:

- Aquatic Influence Zones (AIZ)
    - Consult a hydrologist or fish biologist during burn planning or timber marking within the AIZ.
    - Minimize heavy equipment operation (e.g. masticator, skidder) off-of existing routes. Consult hydrologist or fisheries biologist to designate stream channel/AIZ crossings in stable areas.
    - Avoid locating bases, staging areas, hazardous material storage facilities, and other activity centers within the AIZ. If the only suitable location is within the AIZ, an exception may be granted following a review and recommendation(s) by a fisheries biologist or hydrologist, who will prescribe the location, use conditions, and rehabilitation requirements. Minimize new soil/vegetation disturbances by using existing disturbances as much as practicable.
    - Prescribed fire activities on adjacent lands must be compatible with management prescription goals.
    - Use minimum impact fire suppression methods.
    - No temporary roads, skid trails, or landings will be constructed within these lands until appropriate standards for construction, maintenance, and operations are in place.
    - Conserve surfacing materials and protect riparian resources, by properly maintaining roads and avoiding side casting during road maintenance activities.
    - Temporary stream crossings will be constructed and used in such a way as to minimize sediment input and to provide for fish passage. They will be maintained during use and removed and obliterated as soon as they are no longer needed (RFP pg. III-111). The location and type of road/stream crossings shall be approved by the hydrologist or fish biologist.
    - Minimize adverse effects to aquatic and riparian dependent species.
    - Manage wood residue to maintain or restore ecological health and function.
    - Minimize mechanized treatment of wood residue.
    - Burning of mechanized treated wood residues within the bankfull channel is prohibited.
    - Fell trees in a way that protects the soil and residual vegetation from damage. Minimize ground-disturbing activities in the AIZ.
- Hydrologic Disturbance
    - Not more than 30 percent of any of the principal watersheds and their subwatersheds should be in a hydrologically disturbed condition at any one time.
    - Annually monitor project-generated hydrologic disturbance. Re-evaluate hydrologic disturbance and modify future activity/schedule to ensure compliance with hydrologic disturbance guideline.
- Logging systems
    - Avoid heavy equipment use on slopes greater than 40 percent.

- Rutting in skid trails should not exceed six to eight inches in depth (wet condition) over more than ten percent of a designated skid trail system. No yarding operations should take place when ground conditions are wet enough that there is a risk of such rutting
- Obliterate temporary roads, skid trails, and landings. Work includes, but may not be limited to ripping/roughening the surface, pulling material from the fill slope and brow of the cut slope onto the running surface, removal of drainage structures, placing of slash, woody debris, stumps, cull logs, or other organic material onto the road, trail, or landing
- Temporary roads and skid trails: Avoid ephemeral draws where practical. If necessary, skid trails and temporary roads may cross ephemeral draws, but they should not run up and down the bottom of ephemeral draws.

Soils:

- A Soil Scientist will need to be consulted prior to ground disturbing activities to evaluate existing soil conditions.
- Within treatment units, install effective barriers to strongly discourage illegal motorized use of skid trails or temporary roads.
- Log landings will be located only in dry, upland locations rather than wet areas or ephemeral draws.
- Areas where natural re-vegetation is inadequate to prevent accelerated erosion before the next growing season will be covered with slash or chipped material.
- Whenever practical, minimize turning of mastication equipment and/or tracked equipment or attempt a "rolling turn" to reduce the amount of displacement and topsoil mixing with an emphasis on operating over the top of masticated fuels to decrease compaction.
- Plan mastication operations to minimize the number of passes over any one area to reduce the potential for compaction and rutting.
- During temporary road construction cover disturbed areas with large amounts of slash or course woody debris (minimum of 75 percent cover) with a rough surface.
- Plan for the burning of piles to occur when soils are wet from snow or rain to limit impacts on soil organic matter, physical properties and soil organisms.
- Areas of pile burning will be evaluated and monitored to determine if seeding or additional rehabilitation is warranted to minimize weed spread and maintain soil productivity.
- Avoid direct ignition or back burning of known wet areas and slumps.
- Consider alternatives to ground-disturbing fireline construction such as using wet lines, rock outcrops, or other suitable features for firelines.
- If firelines are necessary, build them with rolling grades, waterbars, and minimum downhill convergence. Obliterate firelines to the original contour. Use surrounding organic debris to cover and rehabilitate firelines in lieu of seeding. Avoid fireline construction in or around riparian areas, wetlands or areas highly prone to erosion unless needed to protect life, property or approved by fisheries biologist or hydrologist.
- If using water pumps, wash all intake hoses prior to and after use to prevent transfer of aquatic nuisance species. Intake hoses shall be screened if drawing from fish bearing streams.
- Generally strive to maintain fine organic matter over at least 50 percent of the area (RFP, page III-6).
- Masticating: Adjust chipping size and depth to provide a variety of chip depths (maximum depth of three inches) and chip sizes.
- Prescribed Fire Prescription Formulation

- Burn prescription elements should include weather, slope, aspect, and soil and fuel moistures, which influence whether a litter layer remains and the development of a water repellent layer.
- Manage soil burn severity to achieve low/moderate soil burn severities. Implement measures to control soil burn severity (e.g. appropriate soil moisture, short residence times, strip burning).

Wildlife

- To protect bats, burning in mature and late-seral aspen stands will not occur until August 15 and cutting of mature or late seral aspen stands will not occur until September 21.
- No more than 3000 acres will be burned annually.
- No more than 48 hours of helicopter activity below 500 meters above ground level (AGL) will occur in any year and no more than eight hours in any day.
- Check for the presence of radio-collared grizzly bears in the burn units and if present, burning will not occur until the bear has vacated the unit.
- No helicopter burning will occur in the Harriman Refuge until October 1.
- To protect migratory birds, no treatments will occur prior to July 15.
- No cutting of trees or ignition of prescribed burns will occur within 20 acres of a Great Grey or 30 acres of a Boreal Owl nest site.
- Maintain over 40 percent of the forested acres in late-seral age classes within a 1600-acre area around all known Great Gray Owl nest sites.
- No treatments will occur within an active Goshawk nest territory.
- No tree cutting will occur within 330 feet of a Bald Eagle nest.
- No logging operations will occur within 660 feet of a Bald Eagle nest between February 1 and August 31.
- Precautions will be taken to prevent burning the Bald Eagle nest tree.
- Treatments may occur from October 1 to February 28 within a Goshawk post fledging area.
- All RFP standards and guidelines for Goshawk nest, post fledging and foraging areas will be met for any new territories found during surveys.
- Helicopters would not fly within 0.5 miles of a Peregrine aerie prior to July 31.
- Within Management Prescription area 5.4, no more than 20 percent of the forested component will be in created openings according to RFP definitions (RFP page III-154).

Livestock Management:

- No livestock grazing before seed set of the second growing season after prescribed fires.
- Use salt or other supplements to draw livestock away from regenerating aspen and prescribed burn areas. Salt should be placed greater than ¼ mile from water, or as far from water as practicable. Salting should be designed to avoid conflicts with aspen regeneration, conifer plantations, and system trails.
- Protect all grazing allotment improvements from treatment activities e.g.; spring boxes, springs, fences, wells, ponds, and other water sources.
- Permittees must be allowed to use the water sources no matter what type of treatment or when the treatments occur as they are critical to grazing management.
- Don't burn in more than one pasture at one time per allotment to leave permittees with options within their allotment.

- Coordinate all actions with District Range Management Specialist before, during, and after project implementation. This is to ensure timely and accurate information is communicated to grazing permittees.
- If damage occurs to improvements; restoration of improvements will not be the responsibility of the permittees.
- If monitoring indicates the need for additional fencing (for aspen regeneration), it will not be the responsibility of the permittees.

Invasive plant species

- Ensure all equipment is washed prior to entry onto National Forest System lands to reduce the spread of noxious weeds into the project area.
- Early Detection Rapid Response (EDRR) of invasive species, must be done before, during and after project implementation.

Fire/Fuels:

- Public notifications will occur before and during any prescribed burning activities. Smoke sensitive areas will be notified at least one day prior to the burn. The Forest may work with local health departments to minimize effects of smoke to vulnerable populations.
- All prescribed burning will comply with the requirements set forth by the Montana/Idaho Smoke Airshed Group. Prescribed burning is reported to the Airshed Coordinator on a daily basis. If ventilation problems are forecasted by the monitoring unit, prescribed burning may be curtailed until good ventilation exists.
- Fire personnel will monitor smoke dispersion and direction of travel and terminate ignition if causing impacts to local communities.
- Signs and/or personnel will be posted if there are smoke impacts to major roads within the project area to address safety concerns associated with low visibility on roads.
- Signs and/or personnel will also be posted during mechanical treatments near roadsides to address public safety.
- Where hand piles are built, piles will be a minimum size of six feet tall by six feet in diameter.
- Piles will be placed at a minimum distance of 150 feet from any structures.
- Piles will be burned when moisture conditions in the fuels surrounding the piles prevent fire spread.

Cultural Resources

- All treatment units will be surveyed for cultural resources and no treatments will occur until concurrence is received from Idaho State Historic Preservation Organization (SHPO).

Public Involvement

A scoping letter describing the proposal for Middle Henrys Aspen Restoration was released for comment December 19, 2019 to interested or affected individuals and agencies. In reaching my decision, I considered public input (see Decision Rationale), as well as input from Forest Service resource specialists who analyzed the proposal. No significant issues were identified that could not be mitigated, and all practical means have been employed to avoid and/or minimize environmental impact. A detailed analysis of each comment is included in the project file.

Fifteen letters or discussions were received including comments regarding:

- **Effects of treatments to livestock management on the grazing allotments located within the Middle Henrys Watershed.** The Ranger and Rangeland Management Specialist discussed treatment proposal with affected livestock permittees and together we developed solutions to address their concerns to minimize effects to grazing operations.
- **Appropriate type of environmental analysis.** The Deciding Official determined a Categorical Exclusion was adequate as no significant issues were raised during scoping. The project file contains detailed analysis from all of the affected resources.
- **Cumulative Effects.** Each resource specialist provided a cumulative effects analysis in their specialist report.
- **Effects of wild and domestic animals on aspen regeneration.** Monitoring of the treatments will provide information on regeneration success and the forested vegetation report has discussed a variety of options to minimize effects of wild and domestic browsing of aspen.
- **Consult and coordinate with all appropriate agencies.** Idaho Fish and Game and Harriman State Park have been involved with development of this project since project inception. The Forest consulted extensively with US Fish and Wildlife Service and received concurrence of effects of the various treatments on threatened and endangered plant and animal species. Consultation with US Fish and Wildlife was instrumental in development of mitigations for grizzly bears especially where helicopters are involved with project implementation.
- **Impacts to elk and other wildlife.** The District Wildlife Biologist completed a Biological Assessment, Biological Evaluation and analysis on effects to wildlife species brought forward during scoping and those species required by law were included in the analysis.
- **Old Growth.** The RFP guideline has been met for old growth/late seral/replacement stands. See the attached map and analysis in the forested vegetation specialist report.
- **Increase in recreation use and creation of additional illegal routes.** Design criteria for soils and water concerns informed the actions to remove user created routes within the treatment areas. The design criteria include a myriad of closure methods depending on the situation. No changes are proposed to our current motorized travel plan through implementation of this project. Efforts outside of this project to increase communication and enforcement of the current travel regulations are underway.
- **Smoke generated from prescribed fire treatments.** Fuels specialist report analyzes effects of smoke and the decision incorporates management requirements to reduce impacts from smoke. The Forest may work with local health departments to mitigate smoke issues for vulnerable populations.
- **Harvest of large trees.** A design criteria addresses no removal of tree larger than 20 inches in diameter.
- **Regionally Significant Wildlife Corridor.** No wildlife corridors in the watershed have been officially designated, although an important corridor for elk migration from the Yellowstone Highlands to the Sand Creek Desert exists in the Island Park Caldera.
- **Climate change.** A climate change analysis was completed for the project area and proposed treatments.
- **Project monitoring.** Extensive monitoring will take place before and after implementation of each treatment phase to ensure compliance with design criteria, management requirements and treatment objectives. A monitoring plan will be developed for this project.
- **Spread of invasive plant species.** Mitigations to minimize the introduction and spread of invasive plant species are included in implementation of the proposed actions. Use of herbicide may be one of the methods used to reduce spread of invasive plant species. The use of herbicide treatments is analyzed in a Forest-Wide noxious weed treatment EIS

Reasons for Categorically Excluding the Proposed Action

This action is categorically excluded from documentation in an environmental impact statement (EIS) or an environmental assessment (EA). The applicable category of actions is identified in agency procedures as timber stand improvement and/or wildlife habitat improvement activities that do not include the use of herbicide to enhance aspen or do not require more than one mile of low standard road construction; 36 CFR 220.6(e)(6). This category of action(s) is applicable because habitat for a variety of wildlife species will be improved with the proliferation of aspen across Middle Henrys Watershed. The habitat improvement focused on wild ungulates such as elk, mule deer and moose. Other wildlife species such as migratory birds will benefit now and in the future due to the increase in forested plant diversity associated with aspen plant communities.

I find that there are no extraordinary circumstances that would warrant further analysis and documentation in an EA or EIS. I took into account resource conditions identified in agency procedures (1909.15, 31.2) that should be considered in determining whether extraordinary circumstances might exist:

- **Federally listed threatened or endangered species or designated critical habitat, species proposed for Federal listing or proposed critical habitat, or Forest Service sensitive species** Analysis in the biological assessment (BA) determined project activities were not likely to adversely affect Canada lynx and grizzly bear and not likely to jeopardize the continued existence of Wolverine. Analysis in the plant biological assessment for Ute ladies'-tresses determined no effect. US Fish and Wildlife Service concurred with this assessment June 17, 2020. Analysis in the biological evaluation (BE) for forest sensitive plant and animal species, migratory birds, elk, moose, mule deer, snowshoe hare and martin determined no impact, or May Impact Individuals Or Habitat, But Will Not Likely Contribute To A Trend Towards Federal Listing Or Loss Of Viability To The Population Or Species depending on the particular species. Mitigations and design criteria are incorporated into the project for these species. Analysis details are in the plant and wildlife BA and BE.
- **Flood plains, wetlands, or municipal watersheds –** As discussed in the Hydrology report for this project, aspen enhancement leads to an increase in beaver habitat that leads to an increase in fish habitat and water quality
    - Floodplains & Wetlands: These resources exist throughout the project area and several design criteria and management requirements are included to protect or enhance conditions. Aspen enhancement can help achieve the fisheries, water, and riparian resources goals of the RFP (page III-9):
        - *Maintain or restore the diversity and productivity of native and desirable nonnative plant communities in riparian zones.*
        - *Maintain or restore habitat to support populations of well-distributed native and desired nonnative plant, vertebrate, and invertebrate populations that contribute to the viability of riparian-dependent communities.*
    - Municipal Watersheds: The project area is not within a designated municipal watershed. The beneficial uses of the Henry's Fork River do include domestic water supply and project design criteria and management requirements are included in the proposed action to protect that use.
- **Congressionally designated areas such as wilderness, wilderness study areas, or national recreation areas –**No designated wilderness areas, wilderness study areas or national recreation areas exist within the project area or treatment areas.

- **Inventoried roadless areas or potential wilderness areas –** No inventoried roadless areas or potential wilderness areas exist within the project area or treatment areas.
- **Research Natural Areas –** The Thurmon Creek Research Natural Area is within the project area north of Harriman State Park in the Harriman refuge. No treatments will occur within the Research Natural Area.
- **American Indians and Alaska Native religious or cultural sites –** Treatment units are designed to avoid known cultural sites. Surveys will be conducted prior to implementation in order to protect sites. Concurrence with our findings will be sought from the Idaho State Historical Preservation Office. Shoshone Bannock Tribes were sent a letter during scoping describing the treatments within this area; to date, a response has not been received.
- **Archaeological sites, or historic properties or areas –** Treatment units are designed to avoid known cultural sites. Surveys will be conducted prior to implementation in order to protect sites. Concurrence with our findings will be sought from the Idaho State Historical Preservation Office. Shoshone Bannock Tribes were sent a letter during scoping describing the treatments within this area; to date, a response has not been received.

FINDINGS REQUIRED BY OTHER LAWS AND REGULATIONS

My decision will comply with all applicable laws and regulations. I have summarized some pertinent ones below.

National Environmental Policy Act: This decision is in compliance with NEPA and the Council on Environmental Quality regulations (40 CFR 1500 - 1508) for implementing NEPA.

National Forest Management Act: This act guides development and revision of National Forest Land Management Plans. The proposed action is consistent with the NFMA and the 1997 Revised Targhee Forest Plan. This project incorporates all applicable Forest Plan forest-wide standards and guidelines and management area prescriptions as they apply to the project area and comply with Forest Plan goals and objectives. This includes additional direction contained in all amendments. All required interagency review and coordination has been accomplished (BA, BE, Specialist Reports).

Clean Water Act and State Water Quality Standards: No adverse impacts are expected with the implementation of the proposed action. The proposed action will be in compliance with applicable hydrology related standards and guidelines from the Revised Forest Plan. This decision incorporates design criteria and management requirements to ensure protection of soil and water resources (Hydrology and Soils Report, Project Record).

Wetlands Executive Order 11990: This order requires the Forest Service to take action to minimize destruction, loss, or degradation of wetlands to preserve and enhance the natural beneficial values of wetlands. In compliance with this order, Forest Service directives require that an analysis be completed to determine whether adverse impacts will result. Based on the analysis contained within the project record, no adverse impacts to wetlands are expected with the implementation of the proposed action.

Floodplains Executive Order 11988: This order requires the Forest Service to take action to (1) minimize adverse impacts associated with occupancy and modification of floodplains and reduce risks of flood loss, (2) minimize adverse impacts of floods on human safety, health and welfare, and (3) restores and preserve the natural and beneficial values served by floodplains. The proposed action complies with this executive order by maintaining floodplain integrity. Based on the analysis contained within the project record, no adverse impacts to floodplains are expected with the implementation of the Proposed Action.

Executive Order 12898, "Environmental Justice": The selected Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, and Departmental Regulation 5600-2 directs federal agencies to integrate environmental justice considerations into federal programs and activities. Environmental justice means that, to the greatest extent practicable and permitted by law, all populations are provided the opportunity to comment before decisions are rendered on, are allowed to share in the benefits of, are not excluded from, and are not affected in a disproportionately high and adverse manner by, governmental programs and activities affecting human health or the environment. Implementation of any of these alternatives will be consistent with this Order and will not have a discernible effect on minorities, American Indians, women or the civil rights of any United States citizen. Nor will it have a disproportionate adverse impact on minorities or low-income individuals. No civil liberties will be affected. Public involvement and comment was sought and incorporated into this document. The Forest Service has considered all public input from individuals or groups regardless of age, race, income status, gender, or other social/economic characteristics. Executive Order 12898 also directs agencies to consider patterns of subsistence hunting and fishing when an agency action may affect fish or wildlife. The decision will not alter opportunities for subsistence hunting by Native American tribes. Native American tribes holding treaty rights for hunting and fishing on the Caribou-Targhee National Forest were provided an opportunity to comment on the proposal. Based on experience with similar projects on the Ashton/Island Park Ranger District, none of the treatment actions will substantially affect minority low-income individuals, women or civil rights.

National Historic Preservation Act: A cultural resource review will be completed in the areas of proposed ground disturbance prior to treatment; concurrence from the Idaho State Historic Preservation Office will be sought to ensure the proposed action will have no effect on any known historic properties and no effects to National Register eligible or listed heritage resources will occur.

American Indian Religious Freedom Act and Grave Protection and Repatriation Act: The project was discussed with Shoshone-Bannock Tribes' staff in the scoping letter as part of on-going consultation for various district activities. The Shoshone-Bannock Tribes' staff did not voice objections to the proposed action at that time.

Migratory Bird Treaty Act: Because of the application of management actions and design criteria associated with the treatment actions, (Wildlife BE), impacts to applicable species are expected to be positive, neutral or negative from implementation of the proposed action (Wildlife BE). The selected alternative was found to be in compliance with direction to protect migratory birds.

Endangered Species Act: This decision is consistent with the Endangered Species Act. A determination was made for each listed species anticipated to be, or have habitat within, the analysis area (BA); not likely to adversely affect Canada lynx and grizzly bear and not likely to jeopardize the continued existence of Wolverine was concurred on by US Fish and Wildlife Service June 17, 2020. Analysis in the plant BA for Ute ladies'-tresses determined no effect.

Regional Forester's Sensitive Species: The evaluations prepared for this project resulted in a determination no impact, or May Impact Individuals Or Habitat, But Will Not Likely Contribute To A Trend Towards Federal Listing Or Loss Of Viability To The Population Or Species. These determinations depend on the particular species of sensitive species (Wildlife and Plant BE).

Other Laws and Regulations: This action is consistent with all other Federal, State, and/or local laws or requirements for the protection of the environmental and cultural resources.

ADMINISTRATIVE REVIEW (OBJECTION) OPPORTUNITIES

Pursuant to the Consolidated Appropriations Act of 2014 (Pub. L. No. 113-76) and the Agricultural Act of 2014 (Farm Bill) (Pub. L. No. 113-79), this decision is not subject to pre-decisional administrative review or administrative appeal. Further, it is not subject to legal notice and comment under the pre-decisional administrative review process (36 CFR 218.23).

IMPLEMENTATION DATE

The project will be implemented after July 15. The area on the Map 1 labeled "West Area" will be implemented first due to its higher priority based on wildlife.

CONTACT

For additional information concerning this decision, contact: Jon White, 208-652-1202, or jonathan.white@usda.gov.

Elizabeth Davy
District Ranger

7-9-2020
Date

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